

IDEAS AT Work

COMPUTERS/HILLEL SEGAL

Software rental ban not in user's interest

Rep. Pat Schroeder, D-Colo., recently introduced a bill in the U.S. House of Representatives that would ban commercial rental of computer software without permission from the copyright holder. That the bill is being supported almost exclusively by software publishers — and fought by almost everyone else — should tip off Schroeder that she's fighting on the wrong side of this battle. The bill is a nutty idea, and certainly not in the best interests of most PC users and business buyers.

Here, in brief, is the logic advanced by the software vendors for the bill:

- ✓ Illegal copying of software deprives the developers of revenue.

- ✓ Software rentals further the incidence of illegal copying.

- ✓ Therefore, software rentals should be outlawed.

The closest their logic comes to advancing the consumers' interest is, "If the developers collect more money, the cost of software would go down for everyone." Phooey. If the developers collected more money, they would simply be richer. Did the oil sheiks ever lower their prices, out of the goodness of their hearts, because they were making too much?

Illegal copying is a problem, but it is created and perpetuated by the developers themselves. Further, most useful business software is rarely "rented." Instead, it's more commonly purchased on trial and is returnable for a 20 percent restocking fee if you don't like it.

You can call this a rental if you like, but it's really not. Almost no software purchased in this fashion is returned anyway, said Judy Yoak, chief operating officer of Computer Inventory Control, a mail-order software firm in Pittsburgh that offers this service. People simply like the idea of being able to return it if necessary.

However, these are not the key issues, as I see them.

- ✓ Illegal copying is a relatively easy problem for the developers to

solve, but they refuse to do so for competitive reasons. In fact, many copy protection schemes effectively block casual copying. But instead of protecting more and more programs, the developers have begun to remove the protection from existing programs. They now openly

advertise, with glee, "Not Copy Protected."

This action encourages illegal copying, but it doesn't seem to bother them because they are so anxious to make a sale. With such an attitude on the part of the developers, should Congress be involved to slap the hands of users?



Segal

- ✓ As regular readers of this column already know, not all software lives up to the claims of the software developers and promoters. In fact, it's common for programs to be shipped before they are fully tested, and for numerous bugs to cause undue grief to innocent buyers. If there is a need for legislation at all, it's to protect the consumer by making the software developers more liable for consequential damages when they ship a faulty product. Buyers need protection against unscrupulous sellers — not the other way around.

- ✓ The entire emphasis of this bill is counterproductive. If the software developers really want to make more money, while providing personal computer users with better service, they should come out with annual updates with improved versions of their programs and better documentation. A reasonable annual update fee would provide them with additional revenue, and would be paid gladly by most business users who would be anxious to receive the improved versions with new features. Since voluminous documentation can't easily be copied, and since the old documentation would become obsolete annually, the whole illegal copy problem would probably disappear.

What this idea needs is a champion. Rep. Schroeder, are you available?

Hillel Segal is an independent computer consultant who specializes in helping businesses select and use personal computer software and hardware. He can be reached at the Personal Computer Managers Association, P.O. Box 9003, Boulder 80301.